

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAIME ECHEVARRIA,
Plaintiff,
v.
AEROTEK, INC.,
Defendant.

Case No. 16-cv-04041-BLF

**ORDER DENYING ADMINISTRATIVE
MOTION TO RELATE CASES; AND
DENYING MOTION TO STRIKE
REPLY BRIEF**

[Re: ECF 32, 38]

Defendant Aerotek, Inc. has filed an administrative motion asking this Court to relate two putative class actions, *Echevarria v. Aerotek, Inc.*, No. 16-cv-04041-BLF (the present case), and *Dang v. Allegis Group, Inc.*, No. 16-cv-06259-JD. Although only the motion and opposition briefs are expressly authorized by Civil Local Rule 7-11, the Court in the exercise of its discretion has considered all of the briefing submitted by the parties, including the motion, ECF 32; the opposition briefs filed by the plaintiffs in both *Echevarria* and *Dang*, ECF 35, 36; Aerotek's reply brief, ECF 37; Echevarria's motion to strike the reply brief, ECF 38; Dang's objections to the reply brief, ECF 39; and Aerotek's opposition to Echevarria's motion to strike, ECF 41. The motion to strike the reply brief is DENIED.

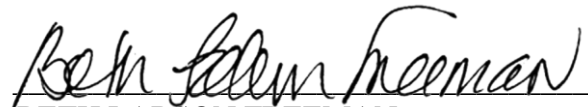
"An action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges." Civ. L.R. 3-12(a). Those requirements are not satisfied here. In *Echevarria*, the plaintiff seeks to represent a class of temporary service employees who were hired by Aerotek, were required by Aerotek to attend mandatory orientation meetings, and were not paid for attending those meetings. In *Dang*, the plaintiff seeks to represent a class of temporary service

employees who were jointly employed by Aerotek and its parent company, Allegis Group, Inc., participated in at least one telephonic or in-person interview with a client of Aerotek/Allegis, and were not compensated for that interview time. Those putative classes are distinct and the two cases seek compensation based on different sets of facts. The cases are not related simply because they both assert wage and hour claims and they both name Aerotek as a defendant.

The administrative motion to relate *Echevarria* and *Dang* is DENIED.

IT IS SO ORDERED.

Dated: January 3, 2017


BETH LABSON FREEMAN
United States District Judge